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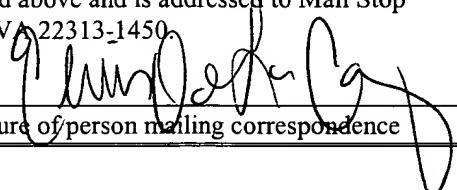
PATENT  
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Elvis De La Cruz

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Keiya Ozawa et al.

Art Unit: 1636

Serial No.: 09/905,592

Examiner: R. Akhavan

Filed: July 13, 2001

Customer No.: 21559

Title: GENE THAT IMPARTS SELECTIVE PROLIFERATIVE ACTIVITY

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SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT

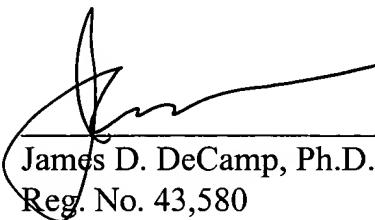
Applicants submit the references listed on the enclosed Form PTO-1449, copies of which are enclosed.

Submission of this statement is not a representation that a search has been made, nor is the inclusion of information in this statement an admission that the information is material to patentability.

This statement is being filed after a first Office Action on the merits, but before the mailing of a final Office action or a Notice of Allowance. A check for \$180.00 in payment of the late submission fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

If there are any additional charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,



\_\_\_\_\_  
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SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Attorney Docket No.	50026/012003	
				Serial No.	09/905,592	
				Applicant	Keiya Ozawa et al.	
				Filing Date	July 13, 2001	
				Group	1636	
				IDS Filed	May 26, 2004	
(37 C.F.R. § 1.98(b))						
U.S. PATENTS						
Examiner's Initials	Patent Number	Issue Date	Patentee	Class	Subclass	Filing Date (If Appropriate)
FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION						
Examiner's Initials	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation (Yes/No)
OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PLACE OF PUBLICATION)						
	Alexander et al., "Point Mutations within a Dimer Interface Homology Domain of c-Mpl Induce Constitutive Receptor Activity and Tumorigenicity," <i>The EMBO Journal</i> 14(22):5569-5578 (1995).					
	Bazan, "Structural Design and Molecular Evolution of a Cytokine Receptor Superfamily," <i>Proc. Natl. Acad. Sci. USA</i> 87:6934-6938 (1990).					
	Heldin, "Dimerization of Cell Surface Receptors in Signal Transduction," <i>Cell</i> 80:213-223 (1995).					
	Ihle, "Cytokine Receptor Signalling," <i>Nature</i> 377:591-594 (1995).					
	Murakami et al., "Critical Cytoplasmic Region of the Interleukin 6 Signal Transducer gp130 Is Conserved in the Cytokine Receptor Family," <i>Proc. Natl. Acad. Sci. USA</i> 88:11349-11353 (1991).					
	Ozawa et al., US 2002/0004582 A1, published January 10, 2002.					
	Ozawa et al., US 2003/0166161 A1, published September 04, 2003.					
	Omura et al., "Acceleration of Granulocyte Colony-Stimulating Factor-Induced Neutrophilic Nuclear Lobulation by Overexpression of Lyn Tyrosine Kinase," <i>Eur. J. Biochem.</i> 269:381-389 (2002).					
	Thornton, "Evolution of Vertebrate Steroid Receptors from an Ancestral Estrogen Receptor by Ligand Exploitation and Serial Genome Expansions," <i>Proc. Natl. Acad. Sci. USA</i> 98(10):5671-5676 (2001).					
EXAMINER			DATE CONSIDERED			
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with the next communication to applicant.						



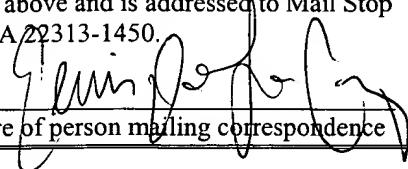
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Elvis De La Cruz

Printed name of person mailing correspondence

  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Keiya Ozawa et al.

Art Unit: 1636

Serial No.: 09/905,592

Examiner: R. Akhavan

Filed: July 13, 2001

Customer No.: 21559

Title: GENE THAT IMPARTS SELECTIVE PROLIFERATIVE  
ACTIVITY

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMMUNICATION REGARDING INFORMATION DISCLOSURE STATEMENT

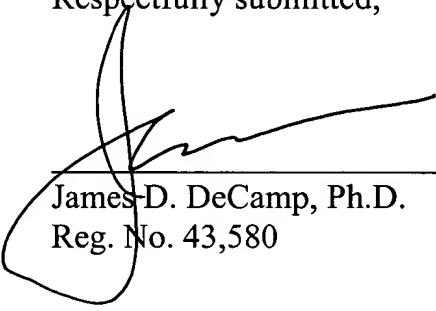
Applicants draw the Examiner's attention to the Information Disclosure Statements ("IDSes") and Forms PTO-1449 mailed on September 19, 2002, February 19, 2004, and April 16, 2004. (Courtesy copies of these Forms PTO-1449, as filed, are enclosed.) Applicants enclose copies of the return postcards submitted with the September 19, 2002, February 19, 2004, and April 16, 2004 filings which bear the USPTO stamp indicating that the items listed on the postcard were received by the USPTO.

Applicants' file does not reflect that the Forms PTO-1449 which accompanied the September 19, 2002, February 19, 2004, and April 16, 2004 IDSes were returned with an indication that the cited references were considered by the USPTO. Applicants respectfully request that the Forms PTO-1449 be returned to Applicants with such indication.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 26 May 2004

  
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**\*\*PROSECUTION\*\***PATENT  
ATTORNEY DOCKET NUMBER: 50026/01b

The U.S. PTO date stamp sets forth the date of receipt of:

Applicant/Patentee: Keiya Ozawa et al.Serial/Patent Number: 09/905,592Filed/Issued: July 13, 2001Title: GENE THAT IMPARTS SELECTIVE PROLIFERATIVE ACTIVITY

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Sheet 1 of 1

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				Serial No. 09/905,592			
				Applicant Keiya Ozawa et al.			
				Filing Date July 13, 2001			
				Group 1655			
(37 C.F.R. §1.98(b))				IDS Filed September 19, 2002			
<b>U.S. PATENTS</b>							
Examiner's Initials	Patent Number	Issue Date	Patentee		Class	Subclass	Filing Date (If Appropriate)
<b>FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION</b>							
Examiner's Initials	Document Number	Publication Date	Country or Patent Office		Class	Subclass	Translation (Yes/No)
<b>OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PLACE OF PUBLICATION)</b>							
	Chan et al., "A Murine Cytokine Fusion Toxin Specifically Targeting the Murine Granulocyte-Macrophage Colony-Stimulating Factor (GM-CSF) Receptor on Normal Committed Bone Marrow Progenitor Cells and GM-CSF-Dependent Tumor Cells," <i>Blood</i> 86:2732-2740 (1995).						
	Ito et al., "G-CSFR-Estrogen-R Fusion cDNA as a Novel Selective Amplifier Gene for Controllable Expansion of Transduced Hematopoietic Stem Cells," (Abstract 538) <i>Blood</i> 88:137A (1996).						
	Jackson et al., "Hormone-Conditional Transformation by Fusion Proteins of c-Abl and its Transforming Variants," <i>EMBO J</i> 12:2809-2819 (1993).						
	Nagata and Fukunaga, "Granulocyte Colony-Stimulating Factor and its Receptor," <i>Prog. Growth Factor Res.</i> , 3:131-141 (1991).						
	Ozawa et al., "Development of a Novel Selective Amplifier Gene for <i>In Vivo</i> Selective Expansion of Transduced Hematopoietic Stem Cells," (Abstract 161) <i>Experimental Hematology</i> 24:1053 (1996).						
	Williams and Park, "Hematopoietic Effects of a Granulocyte-Macrophage Colony-Stimulating Factor/Interleukin-3 Fusion Protein," <i>Cancer</i> 67(Supplement):2705-2707 (1991).						
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			
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ATTORNEY DOCKET NUMBER 50026/012003

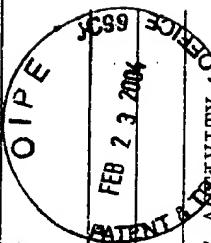
The U.S. PTO date stamp sets forth the date of receipt of:

Applicant/Patentee: OZAWA ET AL.

Serial/Patent Number: 09/905,592

Filed/Issued: JULY 13, 2001

File: GENE THAT IMPARTS SELECTIVE PROLIFERATIVE ACTIVITY



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 Petition for Extension Pages: \_\_\_\_\_  IDS (STIPMENTAL) Pages: \_\_\_\_\_  
 Notice of Appeal Pages: \_\_\_\_\_  Form PTO-1449 Pages: \_\_\_\_\_  
 Appeal Brief Pages: \_\_\_\_\_  Cited References Number: 12  
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SUBSTITUTE FORM PTO-1449  
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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

Attorney Docket No. 50026/012003  
Serial No. 09/905,592  
Applicant Keiya Ozawa et al.  
Filing Date July 13, 2001  
Group 1636  
IDS Filed February 19, 2004

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT  
(Use several sheets if necessary)

(37 C.F.R. § 1.98(b))

U.S. PATENTS

Examiner's Initials	Patent Number	Issue Date	Patentee	Class	Subclass	Filing Date (If Appropriate)

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

Examiner's Initials	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation (Yes/No)

OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PLACE OF PUBLICATION)

	Anderson, "Human Gene Therapy" <i>Nature</i> 392(Supp.):25-30 (1998).
	Cheok, "Cancer Fears Cast Doubts on Future of Gene Therapy" <i>Nature</i> 421:678 (2003).
	Cui et al., "Inhibitory Effect of a Soluble Transforming Growth Factor $\beta$ Type II Receptor on the Activation of Rat Hepatic Stellate Cells in Primary Culture" <i>Journal of Hepatology</i> 39:731-737 (2003).
	Juengst, "What Next for Human Gene Therapy" <i>BMJ</i> 326:1410-1411 (2003).
	Kakuta et al., "Inhibition of B16 Melanoma Experimental Metastasis by Interferon- $\gamma$ through Direct Inhibition of Cell Proliferation and Activation of Antitumour Host Mechanisms," <i>Immunology</i> 105:92-100 (2002).
	Kmiec "Gene Therapy" <i>American Scientist</i> 87:240-247 (1999).
	Marcinkowska and Więdlocha "Steroid Signal Transduction Activated at the Cell Membrane: from Plants to Animals," <i>Acta Biochimica Polonica</i> 49(3):735-745 (2002).
	Maruyama et al., "Proliferation and Erythroid Differentiation through the Cytoplasmic Domain of the Erythropoietin Receptor," <i>The Journal of Biological Chemistry</i> , 269(8):5976-5980 (1994).
	O'Farrell et al., "IL-10 Inhibits Macrophage Activation and Proliferation by Distinct Signaling Mechanisms: Evidence for Stat3-Dependent and -Independent Pathways," <i>The EMBO Journal</i> 17(4):1006-1018 (1998).
	Verma and Somia, "Gene Therapy-Promises, Problems and Prospects," <i>Nature</i> 389:239-242 (1997).
	Wang et al., "Yeast Two-Hybrid System Demonstrates that Estrogen Receptor Dimerization Is Ligand-Dependent <i>in Vivo</i> ," <i>The Journal of Biological Chemistry</i> , 270(40):23322-23329 (1995).
	Wimmel et al., "Autocrine Growth Inhibition by Transforming Growth Factor $\beta$ -1 (TGF $\beta$ -1) in Human Neuroendocrine Tumour Cells," <i>Gut</i> 52:1308-1316 (2003).
EXAMINER	DATE CONSIDERED

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PATENT  
ATTORNEY DOCKET NUMBER: 50026/012003

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Applicant/Patentee: **OZAWA ET AL.**

Serial/Patent Number: **09/905,592**

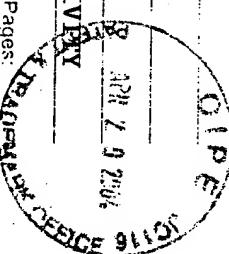
Filed/Issued: **JULY 13, 2001**

Title: **GENE THAT IMPARTS SELECTIVE PROLIFERATIVE ACTIVITY**

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Sheet 1 of 1

SUBSTITUTE FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (MODIFIED) PATENT AND TRADEMARK OFFICE				Attorney Docket No. 50026/012003 Serial No. 09/905,592 Applicant Keiya Ozawa et al. Filing Date July 13, 2001 Group 1636 IDS Filed April 16, 2004			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)							
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FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION							
Examiner's Initials	Document Number	Publication Date	Country or Patent Office		Class	Subclass	Translation (Yes/No)
	WO 93/10151	May 27, 1993	WIPO				
OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PLACE OF PUBLICATION)							
	Gearing et al., "The IL-6 Signal Transducer, gp130: An Oncostatin M Receptor and Affinity Converter for the LIF Receptor," <i>Science</i> 255(5050):1434-1437 (1992).						
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